

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

– against –

JAMES H. IM,

Defendant.

**Case No. 17-CV-3613 (JPO)**

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law and Declaration of Matthew D. Ingber, executed on August 7, 2017, Defendant James H. Im will move this Court, before the Honorable J. Paul Oetken, at the courthouse located at 40 Foley Square, New York, New York, for an order pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure dismissing Plaintiff's Complaint (ECF No. 1), filed on May 15, 2017.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's Order dated July 17, 2017 (ECF No. 16), opposition papers shall be served on Defendant James H. Im by September 22, 2017. Reply papers, if any, shall be served by October 13, 2017.

Dated: August 7, 2017  
New York, New York

MAYER BROWN LLP

By: /s/ Matthew D. Ingber  
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